

State of Arkansas  
88th General Assembly  
Regular Session, 2011

# A Bill

HOUSE BILL 1511

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION TO THE ARKANSAS  
NATURAL RESOURCES COMMISSION FOR CAPITAL  
IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE ARKANSAS NATURAL RESOURCES  
COMMISSION GENERAL IMPROVEMENT  
APPROPRIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. APPROPRIATION - GENERAL IMPROVEMENT. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the General Improvement Fund or its successor fund or fund accounts, the following:

(A) for a transfer to the Water Development Fund for loans/grants to communities for water services, in a sum not to exceed.....\$4,000,000.

(B) for a transfer to the Water, Sewer and Solid Waste Fund for loans/grants to local communities to fund safe, affordable water, sewage and solid waste disposal for their citizens and commercial users, in a sum not to exceed.....\$4,000,000.

(C) for a transfer to the Water Resources Cost Share Revolving Fund to provide funding to the state and its political subdivisions to finance the non-federal share of their obligations in regard to a water resources development project, in a sum not to exceed.....\$100,000,000.

(D) for a transfer to the Drinking Water State Revolving Fund for the EPA Drinking Water Program, in a sum not to exceed.....\$5,000,000.



(E) for a transfer to the Clean Water State Revolving Fund for the EPA Program for sewer projects, in a sum not to exceed.....\$5,000,000.

(F) for development of the State Water Plan, in a sum not to exceed .....\$4,000,000.

(G) for a transfer to the Ouachita River Waterway Trust Fund for grants for projects approved through the Ouachita River Commission for river based recreation projects in the Ouachita River area, in a sum not to exceed .....\$500,000.

SECTION 2. APPROPRIATION - FEDERAL. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, the following:

(A) for a transfer to the Water Resources Cost Share Revolving Fund to provide funding to the state and its political subdivisions to finance the non-federal share of their obligations in regard to a water resources development project, in a sum not to exceed.....\$560,000,000.

(B) for a transfer to the Drinking Water State Revolving Fund for the EPA Drinking Water Program, in a sum not to exceed.....\$20,000,000.

(C) for a transfer to the Clean Water State Revolving Fund for the EPA Program for sewer projects, in a sum not to exceed.....\$25,000,000.

SECTION 3. APPROPRIATION - CASH. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, the following:

(A) for a transfer to the Water Development Fund for loans/grants to communities for water services, in a sum not to exceed.....\$2,000,000.

(B) for a transfer to the Water, Sewer and Solid Waste Fund for loans/grants to local communities to fund safe, affordable water, sewage and solid waste disposal for their citizens and commercial users, in a sum not to exceed.....\$2,000,000.

SECTION 4. APPROPRIATION - BOND PROCEEDS. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Bond Proceeds, the following:

(A) for a transfer to the Water Resources Cost Share Revolving Fund to

1 provide funding to the state and its political subdivisions to finance the  
2 non-federal share of their obligations in regard to a water resources  
3 development project, in a sum not to exceed.....\$350,000,000.  
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5 SECTION 5. APPROPRIATION - TRUST FUNDS. There is hereby appropriated,  
6 to the Arkansas Natural Resources Commission, to be payable from the Ouachita  
7 River Waterways Project Trust Fund, the following:

8 (A) for grants for projects approved through the Ouachita River  
9 Commission for river based recreation projects in the Ouachita River area, in  
10 a sum not to exceed.....\$2,000,000.  
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12 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
13 obligations otherwise incurred in relation to the project or projects  
14 described herein in excess of the State Treasury funds actually available  
15 therefor as provided by law. Provided, however, that institutions and  
16 agencies listed herein shall have the authority to accept and use grants and  
17 donations including Federal funds, and to use its unobligated cash income or  
18 funds, or both available to it, for the purpose of supplementing the State  
19 Treasury funds for financing the entire costs of the project or projects  
20 enumerated herein. Provided further, that the appropriations and funds  
21 otherwise provided by the General Assembly for Maintenance and General  
22 Operations of the agency or institutions receiving appropriation herein shall  
23 not be used for any of the purposes as appropriated in this act.

24 (B) The restrictions of any applicable provisions of the State  
25 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
26 Revenue Stabilization Law and any other applicable fiscal control laws of  
27 this State and regulations promulgated by the Department of Finance and  
28 Administration, as authorized by law, shall be strictly complied with in  
29 disbursement of any funds provided by this act unless specifically provided  
30 otherwise by law.  
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32 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
33 Assembly that any funds disbursed under the authority of the appropriations  
34 contained in this act shall be in compliance with the stated reasons for  
35 which this act was adopted, as evidenced by the Agency Requests, Executive  
36 Recommendations and Legislative Recommendations contained in the budget

1 manuals prepared by the Department of Finance and Administration, letters, or  
2 summarized oral testimony in the official minutes of the Arkansas Legislative  
3 Council or Joint Budget Committee which relate to its passage and adoption.  
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5 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General  
6 Assembly, that the Constitution of the State of Arkansas prohibits the  
7 appropriation of funds for more than a one (1) year period; that the  
8 effectiveness of this Act on July 1, 2011 is essential to the operation of  
9 the agency for which the appropriations in this Act are provided, and that in  
10 the event of an extension of the legislative session, the delay in the  
11 effective date of this Act beyond July 1, 2011 could work irreparable harm  
12 upon the proper administration and provision of essential governmental  
13 programs. Therefore, an emergency is hereby declared to exist and this Act  
14 being necessary for the immediate preservation of the public peace, health  
15 and safety shall be in full force and effect from and after July 1, 2011.  
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